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Deliver to: George C. Neurauter, USPTO Art Group: 2143
 Facsimile No.: (571) 273-8300 Date: September 21, 2007

From: Thinh V. Nguyen, Reg. No. 42,034Our Docket No.: 42390P10683 Number of pages 7 including this sheet.Application No.: 09/823,127 Filing Date: 3/30/2001

Docket Due Date(s): _____

Enclosed are the following documents:

<input type="checkbox"/> Amendment: _____ (_____ pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief (_____ pgs)	<input type="checkbox"/> Notice of Appeal (in duplicate)
<input type="checkbox"/> Application: _____ (_____ pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet (_____ pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of Facsimile	<input type="checkbox"/> Reply Brief (_____ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA (_____ pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: _____ sheets, _____ figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion (_____ pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 (_____ pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input checked="" type="checkbox"/> Other: <u>Statement of Substance of Interview under 37 CFR 1.133(b)</u>	<input checked="" type="checkbox"/> Transmittal Letter

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Tu T. Nguyen9/21/2007

Date

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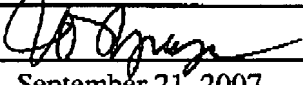
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/823,127
		Filing Date	March 30, 2001
		First Named Inventor	Brent S. Jensen
		Art Unit	2143
		Examiner Name	George C. Neurauter
Total Number of Pages in This Submission	6	Attorney Docket Number	42390P10683

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Statement of Substance of Interview under 37 CFR 1.133(b) </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thinh V. Nguyen, Reg. No. 42,034 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	September 21, 2007

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FEE TRANSMITTAL for FY 2006 <small>Patent fees are subject to annual revision.</small>		<i>Complete if Known</i>	
		Application Number	09/823,127
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	March 30, 2001
		First Named Inventor	Brent S. Jensen
TOTAL AMOUNT OF PAYMENT		Examiner Name	George C. Neurauter
(\$)		Art Unit	2143
		Attorney Docket No.	42390P10683

METHOD OF PAYMENT (check all that apply)

☐ Check
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 ☐ Money Order
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 ☐ Other (please identify): _____

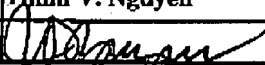
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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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FEE CALCULATION

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) _____					
SUBTOTAL (2)					(\$)

SUBMITTED BY		<i>Complete (if applicable)</i>	
Name (Print/Type)	Thinh V. Nguyen	Registration No. (Attorney/Agent)	42,034
Signature		Telephone	(714) 557-3800
		Date	09/21/07

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Appl. No. 09/823,127
Rule §1.133(b): Statement of Substance of Interview
Filed September 21, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/823,127
Applicant : Bent S. Jensen
Filed : 03/30/2001
TC/A.U. : 2143
Examiner : George C. Neurauter

Confirmation No. 6836

Docket No. : 42390P10683
Customer No. : 8791

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW UNDER 37 C.F.R. §1.133(b)

Sir:

An Examiner's interview was conducted on August 29, 2007 between Examiner George C. Neurauter and Thinh Nguyen, Applicant's representative at the request of Applicant's representative.

The following is a Summary of the Substance of Interview in compliance with 37 C.F.R. §1.133(b) and MPEP 713.04.

(A) Brief description of the nature of any exhibit shown or any demonstration conducted:

None.

(B) Identification of the claims discussed:

Independent claims 1, 9, 16, and 21 were discussed.

(C) Identification of the specific prior art:

The prior art references discussed are U.S. Publication No. 2002/0150100A1 issued to White ("White"), and U.S. Patent No. 5,828,835 issued to Isfeld ("Isfeld").

(D) Identification of the principal proposed amendments of a substantive nature:

Applicant's representative faxed an agenda of the interview outlining the issues on July 25, 2007. The agenda includes the three principal items of discussion: (1) control information appended to end of the first data segment; (2) first frame segmentation indicator, frame fragment

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Rule §1.133(b): Statement of Substance of Interview
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sequence number, and channel number; and (3) extension indicator as recited in claims 8, 15, 20, and 28.

(E) The general thrust of the principal arguments:

Applicant's representative submitted that White does not disclose or render obvious the control information appended to the end of the first data segment. Applicant's representative further pointed out that the appending of the control information to the end of the data segment promotes the transmission of the high priority frames over the low priority claims, as provided in the Specification on page 6, lines 18-22; page 11, lines 3-14; and Figures 5 and 6.

Applicant's representative also indicated that the fact that White disclosed both the header and the trailer indicate that White was well aware of the position of the control information by disclosing the use of the header and the trailer. However, since White did not recognize using the trailer to contain the control information including the frame identification, it was not obvious to White.

Applicant's representative further indicated that neither White nor Isfeld discloses or renders obvious (a) a first frame segmentation indicator; (b) a frame fragment sequence number, and (c) a channel number as recited in claims 1, 9, 16, and 21. In addition, Applicant's representative pointed out that Isfeld merely discloses bits to determine the channel over which the message is received, not transmitted.

In response to the arguments presented by Applicant's representative, the Examiner indicated that Applicant's arguments may be included in the response to the Final Office Action.

(F) General indication of any other pertinent matters:

The Examiner recommended filing an after-final response discussing the difference(s) specifically and perhaps amending the claim(s) to bring out the difference(s). The Examiner indicated that the Examiner may do further search to find new prior art references.

(G) General results or outcome of the interview, if appropriate:

Although no agreement was reached regarding allowability, it is understood that amendments to the claims would be filed and the Examiner will consider allowance.

(H) Interview via electronic mail:

Not applicable.


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Filed September 21, 2007

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: September 21, 2007

By



Thinh V. Nguyen

Reg. No. 42,034

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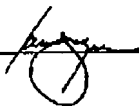
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Date: September 21, 2007

Tu Nguyen



September 21, 2007

Date